THE HON'BLE SRI JUSTICE N.V. RAMANA

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W.P. No. 13902 of 2006

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Oral order:

Assailing the orders dated 01.07.2006, passed by the 2nd respondent, namely Superintending Engineer, transferring the petitioner from BM/KTPS-C to Shift/I-Batch/KTPS/C-Stn, he filed the present writ petition.

The petitioner states that on the ground that he is unwell, he made a representation to the respondents to post him in the General Shift, and that the respondents upon considering his medical reports, by memo dated 03.07.2004, transferred him to the General Shift. The petitioner states that he has only about ten months of service left over, but the 2nd respondent without considering the same, and without considering the fact that on the earlier occasion on the ground of ill-health, he was transferred to the General Shift, has issued the impugned orders transferring him from BM/KTPS-C to Shift/I-Batch/KTPS/C-Stn, which requires working during the nights.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents, and perused the impugned order.

Transfer of an employee from one place to another, cannot be termed as a punishment. It is an incidence of service and is made on administrative grounds. This Court would interfere in matters of transfers only if it is shown that the same has been effected on *mala fide* grounds or for extraneous reasons. A perusal of the impugned order would disclose, the transfer of the petitioner has been effected on administrative grounds due to shortage of personnel in shift operations. Be that as it may, if the petitioner is aggrieved by the impugned transfer order, he is at liberty to make appropriate representation, indicating his ill-health and requesting to continue him in the present General Shift, and if any such representation is made, the 2nd respondent, the Superintending Engineer, shall consider and dispose of the same, and pass appropriate orders thereon, expeditiously.

With the observations as above, the writ petition is disposed of.

No costs.

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N.V. RAMANA, J.

Date: 7th July, 2006.

Note:

Issue CC today.
(B/o)
KSR/NSR